

EXHIBIT D

DEPOSITION OF ABBI LAUSHINE

5

7

1 A No. I did not.
 2 Q Did you review any documents in preparation for your
 3 testimony today?
 4 A Yes. I reviewed Barbie's document, my notes, and some
 5 E-mails that were sent.
 6 Q Barbie's document being the chronology of events that
 7 she prepared and supplied to your attorneys?
 8 A Yes.
 9 Q You said notes that you had. What notes did you
 10 review?
 11 A Notes that I had kept on the document. I had a
 12 document that I had just kind of kept --
 13 Q Is that a document you provided to me?
 14 MS. BLAKLEY: Yes.
 15 MR. WILGOREN: It is?
 16 MS. BLAKLEY: Yes.
 17 Q Let me show you --
 18 MS. BLAKLEY: It's the long document. It
 19 should be at the back.
 20 A Yes. That's the one.
 21 MR. WILGOREN: Let me have this marked as
 22 Exhibit No. 1.
 23 (Photocopy of Abbi Laushine
 24 Investigation Notes marked as Exhibit No. 1 for

1 Q Any that you wrote?
 2 A No. This is the document that I kept.
 3 Q You also referenced E-mails that you reviewed?
 4 A Yes.
 5 Q What E-mails were those?
 6 A Those were E-mails that Barbie had asked me for to
 7 meet with me. She wanted --
 8 Q The meeting at The Fours?
 9 A Yes.
 10 Q So, one of which I can show you. I notice you have
 11 the -- first reference in this Exhibit 1 is "9/2
 12 off-site meeting with Barbie. Meeting held at The
 13 Fours."
 14 Is it possible that that meeting was held on
 15 August 26th rather than on September 2nd?
 16 A Yes. This date isn't an accurate date. It was just
 17 the date I put -- I was trying to remember
 18 approximately when we had gone.
 19 Q In reviewing this document, Exhibit 1, any other
 20 corrections that you want to make as to inaccuracies?
 21 A No. I -- no.
 22 Q Have you ever testified in any other court proceeding?
 23 A I did once before for Continental Insurance, who I
 24 used to work for.

6

8

1 identification.)
 2 Q Let me show you what's been marked as deposition
 3 Exhibit No. 1 and ask if you can identify this
 4 document.
 5 A Yes.
 6 Q What is it?
 7 A This is a document that I put together for just some
 8 of the things that had happened.
 9 Q Did you do it at the time these events occurred or
 10 later on?
 11 A I believe it was a mix. I did it not as it was
 12 occurring in the beginning but then as it was going
 13 on.
 14 Q Other than this document that's before you, did you
 15 have any other notes of any conversations you had with
 16 Barbara Connick or anyone else regarding her
 17 complaint? Any other notes that you have?
 18 A No.
 19 Q Any memoranda regarding Barbara Connick's situation?
 20 A No. Not that I can recall.
 21 Q None that you wrote; none that you received?
 22 A Yes.
 23 Q There were some?
 24 A No. I mean there weren't any that I --

1 Q Is that in any way related to CNA?
 2 A CNA bought Continental Insurance.
 3 Q What was the case that you testified for for
 4 Continental?
 5 A It was a case of fraud. There was a leasing company
 6 that was reporting payrolls as all clerical, when, in
 7 fact, they were doing heavier work.
 8 Q Worker's comp.?
 9 A Yes.
 10 Q It might have been a case that I handled. It sounds
 11 familiar.
 12 A It was out of Connecticut.
 13 Q Actually, I represented the insurance company so it
 14 doesn't matter. Could you tell me briefly your
 15 educational background?
 16 A I graduated from high school and I have two years in
 17 college, but I never graduated from college. I had
 18 night school also.
 19 Q Where did you go to college?
 20 A I started out at UNH and then I transferred -- there's
 21 a number of them because I did a lot of night
 22 schools. I transferred to Rivier College in New
 23 Hampshire.
 24 Then I went to Hartford in Connecticut and

9

1 there was, I think, two -- possibly could have been
2 two more in the State of Connecticut, but I can't
3 remember their names. They were kind of funny.

4 Q Tell me your job history, work history.

5 A I've been with CNA for 15 years. Ten of that was with
6 the Continental before the merger. So, I've been with
7 CNA five years. I started as a rater trainee with
8 Continental and then I was promoted to lead rater,
9 assistant underwriter, and then I was an underwriter
10 for Continental.

11 When I moved to Quincy, I stayed an
12 underwriter. A senior underwriter, and then in '98,
13 latter part of '98, I was offered the position of a
14 manager in the Mass. auto unit.

15 Q So, when in '98? Do you know?

16 A It was about in November. They had offered me the
17 position.

18 Q That being the Mass. auto division?

19 A Yes.

20 Q Who did you replace?

21 A Laura Nicholas.

22 Q Now, prior or contemporaneous with taking the
23 position, did you have a meeting or discussion with
24 Laura Nicholas about the department?

10

1 A Can you just -- I'm not sure I understand the first
2 word.

3 Q Prior to or at the same time as when you became the
4 manager or shortly after, did you have a discussion
5 with Laura Nicholas about the department?

6 A Yes. We met.

7 Q Do you remember where you met?

8 A It was in a conference room.

9 Q Anyone else in the meeting besides the two of you?

10 A Ruby Simmons.

11 Q Who was Ruby Simmons?

12 A She was the commercial insurance manager at the time.

13 Q That's a position now held by Mr. Dye?

14 A No. Jim Martin, and it's called a CUO currently.

15 Q Chief underwriting officer?

16 A Yes, and that just recently changed to that title.

17 Q Can you tell me, to the best of your recollection,
18 what Laura Nicholas said to you and what, if anything,
19 you said to her at that meeting?

20 A We basically talked about the unit because it was new
21 to me. Just the training positions. We were going to
22 be setting up a training schedule so I could learn the
23 position with her.

24 We talked about the different functions that

11

1 people held and just my expectations -- of what would
2 be expected as far as me as far as dealing with CGI
3 and car insurance, the operations.

4 Q CGI?

5 A Is the vendor that does our Mass. auto policies. CNA
6 doesn't have a system. We use a separate vendor.

7 Q Did you discuss individuals who worked in the
8 department?

9 A Yes. We had some discussion on that.

10 Q Tell me, as best you can recollect, everything she
11 told you about individuals working in the department.

12 A She explained some of the different personality types
13 that were in the unit as far as -- yes. I guess. We
14 just kind of talked about the different personalities.

15 Q Can you tell me specifically what she said about the
16 different personality types in the unit?

17 A She -- like, she had mentioned, like, there is an
18 individual Grace who kind of keeps to herself, and she
19 had, you know, let me know that. She appears to be
20 disorganized, but if you ask her anything, she's able
21 to locate it.

22 Bernadette is the underwriter. She can
23 sometimes come across a little bit on a harsher side,
24 but she's very knowledgeable of her position and that

12

1 the unit works well together as a whole; that I would
2 also be getting some other individuals from premium
3 processing and typing. They would be coming over to
4 the unit.

5 Q Was there any discussion about any personality clashes
6 or problems in the department?

7 A No. She said the unit worked very well together.

8 Q Did Barbara Connick's name come up in that
9 conversation at all?

10 A I can't recall if it did.

11 Q How about Shauna Williams' name?

12 A I can't recall.

13 Q Or Heather Gill?

14 A That one I know wouldn't have. She's not in the
15 unit. She wasn't in the unit.

16 Q She was never in your unit?

17 A No.

18 Q You said Grace's name came up?

19 A Uh-huh.

20 Q How about Ernie Goddard? Did his name come up?

21 A I can't remember specifically.

22 Q So, you took over the department in November of 1998.

23 Did you form any assessments of how the department was
24 operating after you'd been there for a period of time?

13

1 A I'm not -- do you mean like a certain time after
2 November or?
3 Q Yes. After you came on board, did there come a time
4 when you were able to identify how the department was
5 operating?
6 A Yes, but it didn't -- I wasn't really in the unit,
7 until full time until -- I think it was March. I went
8 out on maternity leave from November -- I believe it
9 was the end of February. It was the end of February.
10 Then I worked part time through March and then...
11 Q So, that would be March of 1999?
12 A Yes.
13 Q At some point in time after March of 1999, did you
14 make any assessments about how the department was
15 operating?
16 A I didn't have what I thought a good handle as of yet
17 because I was also handling an underwriting load.
18 When I came back from maternity leave, the
19 underwriting side was a little bit heavy, and I was a
20 little bit slow because of learning the new position
21 and I didn't know what I didn't know on some of the
22 technical things that I needed to be involved with.
23 So, I offered to help with some of the
24 backlog from the underwriting side because that's

14

1 where I was coming from. So, I had that also until
2 September.
3 Q So, who was supervising the department between that
4 period, March and September?
5 A I was. I was in the department, but my focus wasn't
6 100 percent on the unit because I had the other --
7 Q When you were focused on the underwriting, people were
8 just sort of on their own to do their jobs?
9 A Yes. I was physically in the unit. I had a seat in
10 the unit.
11 Q You were devoting most of your time to underwriting?
12 A Not most. I would say half.
13 Q Did you have an opportunity to observe the interaction
14 among the employees in the department on a day-to-day
15 basis?
16 A Uh-huh.
17 Q Did you make an assessment about how the employees in
18 the department were interacting?
19 A It was -- they worked well. I did notice, I guess,
20 personality conflicts.
21 Q When did you first notice personality conflicts in the
22 department?
23 A I can't pinpoint an exact time.
24 Q Can you give me a month?

15

1 A I don't know if I can give you an exact month.
2 Q What was the nature of those personality conflicts
3 that you had identified?
4 A People tend to be very territorial, I guess. They
5 have a tendency -- it's their work and they want to do
6 it. They don't want anyone else to touch their work,
7 and if we have people helping -- some people don't
8 want to give up their work. I'd rather do it because
9 I know it's going to be done right.
10 That kind of delivery would make other
11 people feel like that they weren't performing or that
12 that individual may have thought there was something
13 wrong with the way they performed.
14 Q Did you identify particular individuals who were part
15 of this conflict?
16 A Basically, it more happened with the raters. In the
17 rating unit.
18 Q Who were the people that were conflicting with each
19 other?
20 A Who were the raters at that time? There was Ernie --
21 Ernie Goddard. Should I list their last names?
22 Q Yes, please.
23 A Ernie Goddard, Grace Clemetson, Lisa Wright, Doris
24 Chan, Shauna Williams. I think that's it.

16

1 Q They were having problems with each other or with
2 other people?
3 A No. Within a teaming.
4 Q So, among those raters that you just identified, you
5 denoted a conflict?
6 A Yes.
7 Q Was any of that conflict based on race of the
8 particular individuals?
9 A No. More so of a performance issue.
10 Q Did you ever identify, either at that time or later,
11 any issues among employees based on race?
12 A No.
13 Q Since you've been the manager of the auto lines
14 department, how many employees have been terminated?
15 A In auto -- commercial auto?
16 Q Yes.
17 A Do you mean fired?
18 MS. BLAKLEY: Including layoffs or not?
19 MR. WILGOREN: No.
20 Q I understand there was a layoff at a certain point in
21 time.
22 A No one.
23 Q Is Shauna Williams still employed in the department?
24 A No. She's not.

17

1 Q What precipitated her leaving?
 2 A She had another offer with another company.
 3 Q At the time she left, was she subject to any
 4 disciplinary action?
 5 A She was on an action plan.
 6 Q What is an action plan?
 7 A Her action plan or an action plan -- it's a written
 8 plan -- there are certain steps that you have to take
 9 in order to -- when you're dealing with an employee
 10 that has a specific issue.
 11 It's a verbal warning and then it goes to a
 12 written warning, and then after the written warning,
 13 there could be termination or rehabilitation. It was
 14 a written -- at this point, it was a written -- I just
 15 lost the word.
 16 Q She was on a written warning?
 17 A Yes.
 18 Q At the time she left?
 19 A Yes. Action plan.
 20 Q The action plan called for termination if the
 21 performance did not improve?
 22 A It did not call for termination. It stated -- there
 23 was a certain period of time -- she had, like, a
 24 probationary period, and then at that point, you would

18

1 take further action.
 2 Q Which could have included termination?
 3 A Possibly.
 4 Q How far in her probationary period was she when she
 5 left?
 6 A She was at the end.
 7 Q I take it the action plan has certain goals to be
 8 achieved --
 9 A Yes.
 10 Q -- in order to avoid further discipline?
 11 A Yes.
 12 Q You say she was at the end of that probationary
 13 period. Had you formed an assessment as to how she
 14 was doing?
 15 A Yes. She was performing.
 16 Q She was meeting those goals that you had set out in
 17 the action plan?
 18 A Yes.
 19 Q Do you know when she left?
 20 A I would have to look. I can't remember the exact
 21 month.
 22 Q Now, was she placed -- Ms. Williams placed on the
 23 action plan as a result of implementation of some
 24 performance standards?

19

1 A Yes.
 2 Q When did that occur?
 3 A When did the?
 4 Q When were the performance standards implemented?
 5 A They were implemented near the end of -- middle, end
 6 of October -- October of '99.
 7 Q Were they implemented as a result of the complaints
 8 brought about by Barbara Connick?
 9 A No. They were -- there weren't any set standards in
 10 the unit or -- I shouldn't say there weren't any.
 11 There were some set standards but not everyone was
 12 aware of them and we, as being part of the management
 13 team and being a part of some meetings -- upper
 14 management was coming to me, We need to know, you
 15 know, if people are performing, and we have to have a
 16 way to measure that.
 17 I had to come up with a way or figure out,
 18 number one, if we had a plan. If there was a standard
 19 in place and what was their idea of it or what did
 20 they know of it, the employees.
 21 Q Mr. Edwards didn't direct you to assess Shauna
 22 Williams' work performance after Barbara Connick
 23 complained about her?
 24 A Can you repeat that, please?

20

1 Q Mr. Edwards didn't direct you to assess Shauna
 2 Williams' work performance after Barbara Connick
 3 complained of the harassment?
 4 MS. BLAKLEY: Object to the form of the
 5 question.
 6 A Can you just say it one more time?
 7 Q Did Mr. Edwards direct you to assess Shauna Williams'
 8 performance after Barbara Connick raised complaints
 9 about her?
 10 A No.
 11 Q When did you first become aware that Barbara Connick
 12 had some claims of harassment based on her race?
 13 A The very first time that I was aware was in an
 14 incident where she came to me and said that Shauna had
 15 called her white trash.
 16 Q Do you remember when that was?
 17 A No.
 18 Q Was that at this meeting at The Fours?
 19 A No. It was not.
 20 Q Prior to that time?
 21 A After that.
 22 Q After that time. Do you recall being at Barbara
 23 Connick's desk in the spring of 1999 and Barbara
 24 bringing your attention to some issues she had with

21

1 some of the African American employees?
2 A The only thing that I remember at that time because I
3 was sitting with -- I had plans to sit with everyone
4 to learn their functions -- was that I was sitting at
5 Barbara's desk, and I was, you know, going over with
6 her what her job is and how she performs it and what
7 she goes through. I don't recall any statements
8 regarding the African American people at that point.
9 Q Now, at some point in time, you had a meeting with
10 Barbara Connick at The Fours?
11 A Yes.
12 Q Having reviewed the E-mails, would that have been on
13 the 26th or 27th of August 1999?
14 A Yes.
15 Q Who initiated that meeting?
16 A Barbie.
17 Q How did the meeting get initiated?
18 A I got a call from Barbie. I believe she was at home,
19 and she had asked me if I could take some time and
20 meet with her; that she had some issues that she
21 wanted to discuss in the unit and she did not want me
22 to say her name on the phone.
23 She didn't want me to say her name on the
24 phone and she wanted to, you know, keep it kind of low

22

1 key but that she wanted to get together.
2 Q As a result of that conversation, you did meet at The
3 Fours on the 27th of August?
4 A Yes.
5 Q Was there some issue about who would leave the office
6 first?
7 A I don't know -- I don't think it was an issue. I was
8 trying to keep Barbie's privacy like she had asked
9 me. She didn't want us to be going together. So, I
10 had just suggested -- I wasn't sure if she felt more
11 comfortable and then I would follow, but I was trying
12 to keep it so she would feel comfortable with how we
13 left in order to meet but it wasn't an issue. I just
14 was seeing what would make her comfortable.
15 Q Anyone else with you at this meeting at The Fours?
16 A No.
17 Q The Fours is what? A restaurant?
18 A Yes. It's a sports bar. It's a common place people
19 go to.
20 Q Tell me, to the best of your recollection, what
21 Barbara Connick said to you and what, if anything, you
22 may have said to her in this meeting at The Fours.
23 A Barbie was talking about the -- primarily about people
24 not performing; that people should feel lucky that

23

1 they have positions because of the layoffs that were
2 happening within CNA; and that there were a lot of
3 dedicated people that were losing their jobs and that
4 there were people in our unit that would have lengthy
5 personal calls; that they would -- they didn't seem to
6 really care that they worked at CNA; that they didn't
7 have any respect for the company because of the lack
8 of work ethic, I guess, that they had. She talked
9 about Gretta and Grace having lunch at their desk and
10 making some remarks about people in the unit.
11 Q Did she say what particular remarks Gretta and Grace
12 made about people in the unit?
13 A I don't know if I asked that question.
14 Q Well, you just testified that she made some remarks
15 about Gretta and Grace making comments about people in
16 the unit.
17 A Uh-huh.
18 Q What remarks did Barbara Connick say Gretta and Grace
19 were making?
20 A She stated that they would sit and gossip and talk
21 about people's work -- about other people in the unit.
22 Q What else do you remember about the conversation at
23 The Fours?
24 A Well, she appeared to be upset about the fact that

24

1 people just didn't care about their job.
2 Q I see. How long did the meeting last?
3 A I believe it was two hours. It could have been an
4 hour and a half.
5 Q Now, let me call your attention, again, to your write
6 up. It says that you discussed racial cliques. Tell
7 me what you said about racial cliques, if anything,
8 and what, if anything, Barbara Connick said about
9 racial cliques.
10 A The racial cliques was the fact that Grace, who is
11 African American, and Gretta, who is African American,
12 seem to kind of just stick together, I guess, and they
13 happen to be of the same ethnicity. Basically that
14 kind of a thing where Grace and Gretta were always
15 talking.
16 Q I see. Talking about employees?
17 A Yes.
18 Q Do you remember any particular things that Barbara
19 reported to you about what they were saying about
20 other employees?
21 A Just, again, with the work, you know, people's work.
22 Insulting people's work, you know; that they didn't
23 know what they were doing.
24 Q Okay. Did she report to you that there was a serious

25

1 racial issue in the unit?
2 A No.
3 Q You read that in here, in her statement?
4 A Yes. I did.
5 Q Do you have any reason to believe that Barbara would
6 lie in this statement?
7 MS. BLAKLEY: Object to the form of the
8 question.
9 A I don't know -- I don't know -- while I was there, I
10 don't recall anything about a racial slur or an
11 attack.
12 Q When you were there in the department or when you were
13 there at the meeting?
14 A When I was at The Fours.
15 Q Do you recall Barbara telling you that Shauna
16 Williams, a week earlier, had said to Grace Clemetson,
17 within her hearing, that Barbara was white trash and
18 they could get Heather Gill to beat her up?
19 A No.
20 Q Do you recall, at a subsequent meeting on September
21 16th where you and Barbara were speaking to Charles
22 Edwards, stating to Mr. Edwards, Don't you remember,
23 Charles? I told you about that before.
24 A Yes. When I was in a meeting with Barbie and Charles,

26

1 and I believe this is the conference call we were
2 talking about, we were referencing the meeting in
3 general. The Fours meeting in general, and I was
4 telling Charles that I had spoke to him about that
5 meeting.
6 Q You don't remember saying in response to Barbie
7 saying, This is not the first time I've been harassed
8 based on my race, and recounting what Shauna had said
9 in late August and then you saying, Don't you
10 remember, Charles? I told you about that before.
11 MS. BLAKLEY: Object to the form of the
12 question.
13 A What I had said to Charles, again, was we were talking
14 about The Fours in general; that I was reminding him
15 that I had talked to him; that we had that meeting --
16 that Barbie and I had that meeting at The Fours.
17 Q It's your testimony under oath that Barbara Connick
18 never told you that Shauna made that statement to her?
19 A Yes.
20 Q Did she tell you at that meeting at The Fours that
21 Shauna and Grace and Ernie harassed her several times
22 a day, and she'd have to leave her desk to get away
23 from it?
24 A I don't recall that.

27

1 Q You don't recall that. At the meeting in The Fours,
2 do you recall Barbara Connick telling you of the
3 threat that Gretta Thomas made to her back in June of
4 physical violence or physical assault?
5 A She mentioned the situation. However, it wasn't said
6 to me in a way that it was a physical -- it was a
7 threat.
8 Q Tell me, to the best your recollection, what Barbara
9 Connick told you about whatever happened between her
10 and Gretta Thomas back in June.
11 A They were at an accounting luncheon, and Barbie was
12 there with another employee and I guess she was
13 helping this employee, and Gretta happened to be there
14 and she stated that Gretta looked at her in a way and
15 Barbie had said something like, Do you want to beat me
16 up or do you want -- Gretta had said, No. I don't
17 want to beat you up.
18 Q That's what you recall Barbie telling you?
19 A Yes.
20 Q Do you recall anything else about your conversation at
21 The Fours with Barbara Connick other than what you
22 already told us?
23 A No.
24 Q Did Barbie express any fear for her personal safety at

28

1 this meeting at The Fours?
2 A No. Not that I felt.
3 Q Now, after this meeting, did you report the meeting to
4 anybody?
5 A Yes. I went in and I talked with Charles Edwards.
6 Q What did you say to Mr. Edwards, and what, if
7 anything, did he say to you?
8 A I went in and told him that I had met with Barbie and
9 that -- just explained what she had told me about, you
10 know, performance issues and, you know, people
11 spending too much time on the phone, and I kind of
12 just, you know, reemphasized or reviewed what had
13 happened at the meeting and then -- he listened, and
14 he kind of gave me suggestions on how maybe things
15 could be handled or, you know...
16 Q What specifically did Mr. Edwards tell you about how
17 things could be handled or suggestions he made?
18 A Just kind of -- like one of the things that I can
19 remember was somebody spending too much time on the
20 phone, and you know, he was saying it's something you
21 just can't -- because they allow personal calls at
22 CNA.
23 So, you kind of just watch the person to
24 make sure, you know, are they getting their work done

29

1 and if you sense, you know, they are spending too much
2 time on the phone, then you may just want to call them
3 aside and say, You know, I've been noticing this
4 morning you were on the phone for probably a half an
5 hour to an hour, and we need this work to get
6 processed.
7 Q Did he tell you anything else?
8 A I can't really recall.
9 Q What action, if any, did you take after you had this
10 meeting with Mr. Edwards?
11 A I don't remember.
12 Q Did you start to observe the employees in the
13 department to see if they were, in fact, spending a
14 lot of time on the telephone?
15 A I was making myself more aware of what was going on in
16 the unit.
17 Q Did you observe any problems with particular
18 employees?
19 A I don't -- it's not -- I don't know -- I don't know if
20 I noticed -- I don't know, I guess.
21 Q You don't know?
22 A No.
23 MS. BLAKLEY: Why don't you restate the
24 question.

30

1 Q Did you observe whether any particular employees were
2 spending an excessive amount of time making personal
3 telephone calls?
4 A Yes. I mean I would be watching to see if --
5 Q Which particular -- I'm sorry. Did you finish?
6 A Yes.
7 Q Which particular employees did you identify as
8 spending too much time making personal telephone
9 calls?
10 A Shauna Williams is one.
11 Q Anyone else?
12 A No. I don't believe at that point.
13 Q When did you first notice that there were personality
14 conflicts in the department?
15 A I would have to say at huddles. At my weekly huddles.
16 Q What's a huddle?
17 A We have a teaming, so it's like a meeting.
18 Q Like football?
19 A It's a meeting. A huddle. Same thing.
20 Q When did you first notice that there were personality
21 conflicts?
22 A If I was talking about -- again, if I go back to
23 people's work. You know, I'm coming into the unit,
24 and I need to learn how work is processed and what is

31

1 an efficient or effective way for us to keep the work
2 moving.
3 Is that sharing work. Is that having
4 somebody pitch in. Is that batching work which means
5 do we put all our work here and people start taking
6 it. So, I would start kind of throwing ideas out to
7 the floor, to the raters in particular, because they
8 were the ones that do most of the processing and was
9 met with, you know, it's my work. I don't want anyone
10 else touching it, kind of a thing. I can do it. I
11 don't need any help.
12 Q The question was: When did you first identify these
13 personality conflicts?
14 A That's when.
15 MS. BLAKLEY: Can you put a date on it, a
16 month?
17 THE WITNESS: No.
18 A I was -- it was when I started having regular
19 huddles. September maybe.
20 Q Around the same time that Barbara Connick was raising
21 her complaints?
22 A Yes. If that's around the same time.
23 Q Were there any particular individuals who seemed to be
24 conflicting with each other?

32

1 A Well, not any one particular. They, as a group, had
2 trouble.
3 Q All the raters?
4 A Yes. Some more so than others. I won't say that they
5 all.
6 Q I have a list here somewhere. Was Ernie Goddard a
7 rater?
8 A Yes. He was.
9 Q Was he having personality conflicts?
10 A Yes. He's been with CNA for 25 years, and he pretty
11 much wants his work.
12 Q Who was he conflicting with?
13 A He didn't name -- like he wouldn't name anyone. If I
14 suggested, Ernie, we need to take some of your work,
15 he would say, I want to keep my work. I don't want
16 anyone else touching my work. I want it to be right.
17 So, I'm going to keep my work.
18 So, that is what he used to say, but he
19 wouldn't say anybody in particular he didn't want
20 touching.
21 Q I guess I have a misunderstanding of how you define
22 personality conflict. Let me tell you how I define
23 it, and you can tell me if you differ. Personality
24 conflict, as I define it, is when one person conflicts

33

1 with another. Is your definition of personality
2 conflict different than that?
3 A It must be because I feel that is a personality of
4 Ernie.
5 Q That conflicts with everyone else in the department?
6 A On that issue.
7 Q So, he was conflicting with L. Wright and G. Millet
8 and S. Williams and D. Chan and G. Clemetson, all
9 those other raters?
10 A Yes. Well -- yes.
11 Q He conflicted with all of those because of the way he
12 wanted to do his work?
13 A Not on a constant basis.
14 Q Would this personality conflict include disagreements
15 between individuals?
16 A Yes.
17 Q Would it include disparaging body language between
18 individuals?
19 A It could.
20 Q Rolling of the eyes, for example?
21 A Yes.
22 Q Any other individuals that you identified as having
23 personality conflicts in September of 1999?
24 A As I stated before, the unit -- the raters in the unit

34

1 -- their teaming wasn't there. So, that led -- so, I
2 would say the individuals in the rating unit would
3 kind of rub up against each other. Like that Ernie
4 thing. It just wasn't that Ernie didn't want his work
5 touched. There was another one, Doris, who liked to
6 do her work, you know.
7 Lisa would volunteer for, you know, people
8 to help people out and that kind of thing, but they
9 weren't all meshing together. So, it was kind of like
10 a group.
11 Q Any of these personality conflicts based on race?
12 A No. Not that I noticed. It was more of performance
13 or the idea of what people thought it was.
14 Q Is this personality conflict resolved or still
15 existent in the department?
16 A There is still an issue. We have been working it and
17 it has improved. Actually, it's gotten better.
18 MR. WILGOREN: Mark this as the next
19 exhibit.
20 (Photocopy of E-mail marked as
21 Exhibit No. 2 for identification.)
22 Q Ms. Laushine, let me show you what's been marked as
23 deposition Exhibit No. 2.
24 A Yes. It's an E-mail that I sent.

35

1 Q Regarding continuing personality conflicts based on
2 your observations in the huddle on November 17th?
3 A Uh-huh.
4 Q That would be 1999?
5 A Yes.
6 Q What did you witness today that you reference in the
7 E-mail?
8 MS. BLAKLEY: Today being November 17th?
9 MR. WILGOREN: Today being November 17th.
10 A This was a meeting that, again, we were talking about
11 some ideas and it was -- some people weren't agreeing,
12 and there were some people that were offering up ideas
13 and some people that kind of had
14 they're-tired-of-these-people kind of thing and some
15 of the things that were going on that -- you could
16 tell the person that was speaking was starting to get
17 uncomfortable.
18 Q Which people did you identify in the department that
19 were exhibiting lack of respect?
20 A Let's see. I guess there was -- there would be Ernie,
21 Grace, Shauna, Margaret. Those four come to mind.
22 Q What's Margaret's last name?
23 A Mullane.
24 Q Margaret Mullane?

36

1 A Uh-huh.
2 Q Which individuals did you identify were exhibiting
3 lack of courtesy and professionalism? The same?
4 A I guess it wasn't -- this memo, too, wasn't just to
5 pinpoint -- I may have had some people in mind. I
6 can't remember who, but it was like a collective, you
7 know. There were some things going on in the huddle
8 and these things can't go on. We've talked about this
9 before.
10 Q Well, which people had you identified before who had
11 exhibited lack of respect, common courtesy, and
12 professionalism?
13 A Before what?
14 Q You just said these were things that you observed
15 before the huddle.
16 A I'm sorry. I meant during the huddle. I observed
17 these issues. It could have been somebody's body
18 language. So, the intent of this memo was just to say
19 that, you know, we need to be cognizant of some of the
20 things we're saying, doing, while others are speaking.
21 Q By "we," those individuals you previously identified?
22 A Yes, and just a general message to the unit as a
23 whole.
24 Q When was the next time that you had any communication

37

1 with Barbara Connick about her claims of racial
2 harassment?
3 A Prior to the first time -- I mean after the first
4 time?
5 Q When was the first time?
6 A The first time I had a conversation with Barbie was
7 the time that I had gotten Charles involved when she
8 had said Shauna called her white trash and threatened
9 to have somebody meet her in the...
10 Q When was that?
11 A I don't remember the date.
12 Q How did it first come to your attention?
13 A She found -- I had been away from my desk. I was over
14 in a different part of the office, and she had come
15 over to me and she looked visibly shaken and she said,
16 Shauna just said the piece of white trash that sits in
17 front of me. I'm going to have somebody meet her in
18 the garage afterward.
19 That's when I told her to wait or that I had
20 to go find Charles because that was a serious issue.
21 Q Did you find Charles?
22 A Yes. I did. He was in Farmington. I got him by
23 phone.
24 Q Tell me what you said to Charles and what, if

38

1 anything, he said to you.
2 A I got him on the phone, and I told him exactly what
3 Barbie had said to me and he said, We need, you know
4 -- We need to get them in here. We'll get them in,
5 and we'll have a conversation with both of them and
6 kind of explain what, you know, CNA's rule is on
7 things of this nature.
8 Q What happened next?
9 A I got Barbie. Barbie was the first one we had in the
10 office. We were in a conference room and Charles was
11 on a speaker phone, and you know, Charles did
12 primarily most of the talking and he asked Barbie to
13 kind of repeat what had happened and Barbie went over
14 what had happened.
15 Q Instead of summarizing, why don't you tell me what
16 Barbie said and what everyone said during the course
17 of the conversation.
18 A Okay. Barbie told Charles that she had said, you
19 know, Shauna had called her white trash and threatened
20 to meet her in the parking lot, and Charles said, That
21 was a very serious allegation and that people can be
22 terminated for that.
23 He asked how she was feeling, and she was
24 nervous and he had asked her if she thought it would

39

1 be okay for us to bring Shauna in to talk with Shauna
2 to tell her exactly what Barbie had said, and at
3 first, Barbie was a little hesitant. She wasn't sure
4 because she was afraid, and then it was decided that
5 it was okay that we would be bringing Shauna in.
6 Q Do you remember anything else that was said either by
7 Barbara or by Charles or by yourself?
8 A Not that I can recall.
9 Q Do you recall Barbie saying -- recounting that Gretta
10 Thomas had tried to beat her up in June or threatened
11 to beat her up in June?
12 MS. BLAKLEY: Object to the form of the
13 question.
14 A I don't recall what that.
15 Q Do you recall her saying that, in late August, Grace
16 called her white trash and threatened to have Heather
17 Gill beat her up?
18 MS. BLAKLEY: Object to the form of the
19 question.
20 A No. I don't know that.
21 Q Do you recall saying -- or her saying, Remember, Abbi,
22 I told you about that at our meeting, and then you
23 saying, Charles, you remember I told you about that?
24 Do you remember that part of the conversation?

40

1 A I remember telling Charles that I was reminding him
2 that we had the discussion about the meeting at The
3 Fours.
4 Q Do you remember telling -- did you say that in
5 response to Barbie saying, Remember I told you about
6 the prior threat by Grace?
7 MS. BLAKLEY: Object to the form of the
8 question.
9 A No. I wasn't saying to Charles, Remember -- because
10 that threat from Grace or Gretta threatening to beat
11 her up with Heather Gill, that was never said. So, I
12 was just reminding Charles of that meeting.
13 Q It's your testimony as we sit here under oath that
14 Barbara Connick never told you about that prior threat
15 at any time?
16 A It was not at The Fours.
17 Q Where was it?
18 A The threat that's with Gretta is the threat with the
19 -- it was the accounting meeting when -- and I didn't
20 take it as a threat as was when Gretta had said to
21 her, What do you want? To beat me up, and Barbie
22 said, No. I don't want to beat you up.
23 Q Did Barbara Connick tell you at any time about Shauna
24 calling her white trash and that she threatened to

41

1 have Heather Gill beat her up?
2 A No.
3 Q Never?
4 A Not at The Fours.
5 Q I'm asking at any time.
6 A I believe later at one of the last meetings that I had
7 with her. She kind of recounted things that had
8 happened.
9 Q When was that?
10 A It was a couple of -- it was in the end of -- end of
11 September, beginning of October. It was the very last
12 meeting that I had with her.
13 Q You read her statement?
14 A Yes. I did.
15 Q You read where Barbara Connick said she told you at
16 the meeting at The Fours at August 26, 1999, that a
17 week before Shauna called her white trash and had
18 threatened to have Heather Gill beat her up?
19 A There was never any mention of that.
20 Q I'm not asking that. You read that statement in her
21 writing?
22 A Uh-huh. Yes.
23 Q Do you have any reason why Barbara Connick would lie?
24 A I have no reason.

42

1 Q Is it possible you may not remember at this time?
2 A No. It was not said to me.
3 Q On the 17th -- on the 16th of September, have you told
4 me now the entire conversation between you and Barbara
5 Connick and Charles Edwards?
6 A Say that again, please.
7 Q Have you now testified as to your recollection of the
8 entire conversation between you and Barbara Connick
9 and Charles Edwards?
10 A That I can remember. Is this the meeting in the
11 conference room with him on the phone?
12 Q Yes.
13 A Yes.
14 Q What did you do after that?
15 A After we had Shauna in or after Barbie left?
16 Q After Barbie left?
17 A After Barbie left -- Charles had asked Barbie -- he
18 suggested that she should take the day -- oh, Barbie
19 actually -- I didn't remember. Barbie was afraid
20 outside of work also, and that was another thing we
21 were discussing.
22 Q Afraid of what outside of work?
23 A Afraid of the threat that Shauna had made. So, she
24 was kind of was afraid to walk out of the building.

43

1 So, we were -- Charles was talking with her about, you
2 know, that we protect our employees here in work; that
3 we promote a safe work environment and that if she
4 felt the need to have protection outside of work, then
5 she may need to look to the police for her if she felt
6 she needed that.
7 Then -- and then he suggested that she take
8 the next day off, which happened to be her day off,
9 and then we gave Barbie a few minutes to kind of get
10 herself together so that -- because she was also going
11 to be leaving for the day because she was pretty much
12 shaken up, and then we called Shauna in and we had
13 asked Shauna -- we told Shauna that we had had Barbie
14 in and that Barbie had stated she had called her white
15 trash and made violent threats toward her and Shauna
16 said, No.
17 She did not make those statements and then
18 Charles proceeded to go into that CNA's policy that
19 racial slurs and threats of violence are not tolerated
20 by the corporation; that they are grounds for
21 immediate termination. He asked her if she understood
22 that. She said, Yes. She did and that she did not
23 say them and then Shauna left.
24 Q Are there phone records that are kept for each of the

44

1 telephones --
2 A I don't know.
3 Q -- of employees in your department?
4 A I don't know. I've never seen one.
5 Q After Shauna left, what happened next? Did you and
6 Charles speak?
7 A Yes. We did. I was, you know, talking about what we
8 should do and how to proceed, and I'm drawing a blank
9 as far as -- I mean we did discuss it. I can't
10 remember with what though.
11 Q Let me go back to your statement here. Your notes.
12 It says here, "I spoke to Shauna right after. She
13 apologized."
14 Was it that you spoke to her right after the
15 meeting you held with Barbie Connick?
16 MS. BLAKLEY: I'm sorry. Where are you?
17 MR. WILGOREN: I'm two-thirds of the way
18 down on the first page.
19 A This part.
20 Q That's the 16th?
21 A That was a different -- actually, that is the same day
22 but it was earlier.
23 Q I'm confused. Same day as what?
24 A This is the actual day that Barbie -- that Shauna had

45

1 stated those things to Barbara or was said to have
2 said those things about Barbie about the white trash
3 and then I had to call her in and talk with Charles.
4 That was that same day. That was the morning of that
5 day.
6 Q So -- I see. So, this is your actual observations on
7 the 16th. You saw Barbie and Shauna were arguing on
8 the floor. You stopped it.
9 A Yes.
10 Q What did you observe when you saw Barbie and Shauna
11 arguing on the floor?
12 A Barbie was saying how some things weren't any of her
13 business, and Shauna was saying, It is my business, or
14 it's none-of-your-business kind of a thing, and they
15 were both pretty loud and I went over, and before it
16 got much further, I kind of said that they have to
17 stop; that it's unacceptable on the floor. That's
18 what I observed.
19 Q You took Barbie into a separate room and spoke to her
20 for about an hour?
21 A Yes.
22 Q She indicated there were cliques?
23 A Yes. She kind of went over again what we had talked
24 about at The Fours.

46

1 Q I see. Then you spoke to Shauna?
2 A Uh-huh.
3 Q She called Barbie a troublemaker?
4 A Yes. She did.
5 Q Did you find Barbie to be a troublemaker?
6 A No. I did not.
7 Q Did you find Shauna to be a troublemaker?
8 A No. I did not.
9 Q You and Charles spoke with Barbie. You and Charles
10 spoke with --
11 MS. BLAKLEY: Shauna.
12 Q -- Shauna.
13 MR. WILGOREN: Thank you.
14 Q By the way, Shauna, in the meeting with yourself and
15 Mr. Edwards on the telephone, again labeled Barbie as
16 a troublemaker?
17 A When I'm reading this, yes.
18 Q Does this help refresh your recollection that that was
19 said?
20 A Yes. It does.
21 Q Did you say anything when she said that?
22 A No. I kind -- I was pretty much quiet in this
23 meeting.
24 Q You didn't think it was important to correct the

47

1 record for Charles Edwards?
2 MS. BLAKLEY: Object to the form of the
3 question.
4 A I don't --
5 Q You didn't think it was important to correct Shauna's
6 inaccurate statement about Barbie?
7 MS. BLAKLEY: Object to the form of the
8 question.
9 A Can you just rephrase it?
10 Q Shauna Williams is saying Barbie is a troublemaker.
11 You just told me before that you've never seen
12 anything to support that assertion, correct?
13 MS. BLAKLEY: Object to the form of the
14 question. That's argumentative.
15 Q Is that correct? Is that an accurate statement of
16 your testimony?
17 A That I never?
18 Q You never saw anything that would lead you to conclude
19 that Barbie Connick was a troublemaker.
20 A Correct.
21 Q Given that testimony, did you or did you not feel it
22 important to correct the statement that Shauna had
23 made to Charles Edwards?
24 A It's not that I didn't think it was important. I just

48

1 didn't.
2 Q Did you at any time tell Charles Edwards that you
3 didn't think that was an accurate portrayal of Barbara
4 Connick?
5 A I don't recall. I don't know if I did or didn't.
6 Q How would you assess Shauna Williams' ability to tell
7 the truth?
8 A I don't know if I could.
9 Q Did she ever lie to you before?
10 A Not that I know of, no.
11 Q Ever misrepresent her work product to you?
12 A No.
13 Q Ever misrepresent anything to you?
14 A Not that I was aware of, no.
15 Q When you met with Shauna, did she threaten to go over
16 your head to Charles Edwards?
17 A When it was just me and Shauna?
18 Q Yes. When it was just you and Shauna.
19 A I don't recall.
20 Q It says says here that Shauna Williams said, "Barbie
21 gossips, spreads rumors, and listens in on personal
22 phone calls." Is that what Shauna said?
23 A Yes.
24 Q Did you find any information that would corroborate

49

1 that statement?
2 A No.
3 Q Did you take any action as a result of the meetings of
4 the 16th?
5 A That day?
6 Q That day or any days in the future.
7 A Yes. We had a meeting with the unit as a whole. It
8 was myself --
9 Q When was that? Would that have been October 4th?
10 A Yes.
11 Q Between September 16th and prior to October 4th, did
12 you take any action?
13 A I don't believe so, no.
14 Q Between September 16th and October 4th, did Barbie
15 express to you any further concerns about her personal
16 safety?
17 A She was on vacation shortly after, and then when she
18 came back, she was still very nervous about the
19 situation; that she didn't feel that she would be able
20 to concentrate on her job given that Shauna was there.
21 Q When she returned to work after her vacation on the
22 27th of September 1999, did you have a discussion
23 about moving Shauna's work location?
24 A There was -- what was going on in the office was there

50

1 was a moving that was going to be taking place and
2 people's desks were going to be moved, and there were
3 a couple of people's desks that needed to be moved in
4 order to make room for other people coming -- kind of
5 taking over that space, but there was -- I don't
6 remember having, like, a discussion about moving
7 desks.
8 Q Did you consider moving Shauna's desk as a way of
9 toning down the problem between her and Barbara?
10 A Yes. That was considered at one point.
11 Q Who considered it?
12 A Charles and myself.
13 Q What was the discussion between Charles and yourself
14 about that possibility of moving Shauna's desk?
15 A We talked about -- I remember having a conversation
16 about it, and I can't remember why it was decided that
17 it wouldn't -- we wouldn't move it. Barbie didn't
18 want her desk moved.
19 Q Did you, at one point, think it was a good idea to
20 move Shauna's desk?
21 A Yes. I thought it might help the situation --
22 Q What --
23 MS. BLAKLEY: Can you let her finish her
24 answers before you get out your next questions,

51

1 please?
2 MR. WILGOREN: I apologize. Tone it down.
3 Q I apologize. Are you finished now?
4 A Uh-huh.
5 Q In fact, you were overruled by Charles Edwards over
6 the issue of moving her desk?
7 MS. BLAKLEY: Objection to the form of the
8 question.
9 A I don't recall that.
10 Q Well, you wanted to move the desk, and Charles didn't
11 think it was a good idea, right?
12 A Again, we had a conversation. I don't remember why we
13 came to the conclusion that we did.
14 Q Well, let me ask you: You just testified you thought
15 it was a good idea to move her desk?
16 A Yes. At first, yes.
17 Q Charles told you he didn't think it was a good idea.
18 Is that correct?
19 MS. BLAKLEY: Object to the form of the
20 question.
21 A I don't know if he exactly said, I don't think it's a
22 good idea. We had a discussion about moving the desk.
23 Q Did he make a decision not to move her desk at that
24 time?

52

1 A Again, I don't remember if it was his decision or if
2 it was -- because we did the discussion and when
3 normally when Charles and I were talking, it was -- we
4 kind of have discussions and then we decide. I'm not
5 overruled.
6 Q Did you have a discussion with Barbie Connick where
7 you said to her, Let's see how it goes for the week,
8 and if it's still not good, we'll move her?
9 A Yes. When Barbie came back, she came back and was
10 wondering why Shauna's desk hadn't been moved. I had
11 thought that possibly with the time away that things
12 would be able to be worked out.
13 When I had the conversation with Barbie and
14 Shauna about being able to work when they had that
15 argument on the floor, I had asked them if they would
16 be able to, you know, work near each other because
17 they would have to because their desks are there.
18 Barbie wasn't too sure, and Shauna said she
19 would be able to perform her work while Barbie was
20 there.
21 Q Do you recall giving Barbie Connick her review around
22 September 28, 1999?
23 A Yes.
24 Q How was her review? Do you recall?

53

1 A It was -- I'd say it was basic for a review because I
2 had not been in the unit long enough to observe
3 performances at levels that should be when you're
4 giving a personal review, and I had had conversations
5 with Charles as to, you know, I'm manager. I'm new to
6 the unit. I've got a lot of reviews to do, but I
7 haven't been in the position long enough to review
8 performance-type issues. How do you go about writing
9 up a review.

10 You know, he said, In that case, to be fair
11 to the employee, you explain the situation saying, you
12 know, due to, you know, me coming on board and in the
13 short term that I observed, there is not really
14 anything, you know, to note, but we will rate you the
15 same as you were the prior year.

16 Q That was a two. Is that correct?

17 A Yes.

18 Q That's meets --

19 A Meets and sometimes exceeds, I believe.

20 Q Did you also have a discussion that same day with
21 Barbie Connick about her and Shauna having a meeting
22 to work out their differences?

23 A I can't recall.

24 Q Do you recall telling Barbie that Shauna was too

54

1 aggressive?

2 A No.

3 Q Was the relationship between Shauna and Barbie Connick
4 getting any better as they approached the end of
5 September?

6 A I would say it was the same. There wasn't -- there
7 were no outbursts. There wasn't any interaction
8 between the two of them.

9 Q I would imagine you would recall the 29th of September
10 1999. You were on a business trip to Reading,
11 Pennsylvania?

12 A Yes. I was.

13 Q You were mugged, I guess?

14 A Yes. Sort of. I got my purse stolen.

15 Q At some point after that when you returned to the
16 office, did Barbie Connick report to you a further
17 problem she had had with Shauna while you were away?

18 A I don't recall.

19 Q Let me see. Did she tell you of a conversation
20 between Shauna and Grace where they were standing next
21 to Ernie's desk? By the way, where was Ernie's desk?
22 Was that right next to Barbara's?

23 A Yes. Right across. Barbie was here and Ernie was
24 here.

55

1 Q Did Barbie report to you a conversation between Shauna
2 and Grace where Shauna said or Grace said, Stupid,
3 stupid people, and Shauna said, I'm going to get you,
4 and Grace said, No. I'm going to get you, and Shauna
5 said, Oh, oh. You're in trouble now. Grace said, Oh,
6 I'm scared. Shauna said, I should be shot. Do you
7 recall?

8 MS. BLAKLEY: Object to the form of the
9 question.

10 Q Do you recall Barbie reporting to you such a
11 conversation when you returned from Reading -- within
12 a couple of days?

13 A I don't recall that.

14 Q Do you recall Barbie telling you that Grace said, So
15 sue me, and they started to laugh?

16 A Our last meeting that I had with Barbie when I
17 remember her saying this or to that...

18 Q You remember her recounting this conversation or words
19 to that effect?

20 A Not -- I don't think it was after -- I remember it,
21 but at our last meeting that we had.

22 Q Do you know when that was?

23 A No. I don't know that date, but it was the very last
24 time I spoke with her, I believe.

56

1 Q I call your attention to October 4th. Take a look at
2 your notes here. You have a statement here at the
3 bottom, "The situation has gotten out of control." Do
4 you see where that says that?

5 A Oh, yes.

6 Q What did you mean by that?

7 A Just that because Barbie was still very visibly still
8 upset and she's still talking about certain things
9 that have happened and that she's still nervous, and
10 she just keeps talking about it.

11 Q That was what you were referencing when you said, "The
12 situation has gotten out of control"?

13 A Yes.

14 Q Just her statements?

15 A Yes. Again, I guess I was feeling overwhelmed.

16 Q Overwhelmed in what respect?

17 A Not being able to have an answer for Barbie. When she
18 would talk with me, it just seemed like I could not --
19 I could listen a lot. There wasn't a lot of things I
20 could offer or suggest that would seem to make her
21 feel comfortable or be able to work or reassure her.

22 Q I'm still not sure I understand what you meant by --
23 what was the situation?

24 A The situation with the racial slur back when it first

DEPOSITION OF ABBI LAUSHINE

57

1 happened.
 2 Q What was it about that situation with the racial slur
 3 that had gotten out of control?
 4 A It wasn't -- again, I could have written the wrong
 5 word. I just was -- the way I was seeing it was that
 6 it still was an issue. The racial piece was still an
 7 issue, and it was affecting Barbie.
 8 Q If the racial piece was still an issue, did you take
 9 any further action to deal with that issue?
 10 A We had the meeting that day with management.
 11 Q Did that resolve the situation, or did the situation
 12 continue to be out of control after that time?
 13 A It was not out of control.
 14 Q How was it now in control?
 15 A Well, we had this meeting and they talked about --
 16 Charles and Jim talked about certain things that were
 17 acceptable and unacceptable in the work environment.
 18 So, a message was sent to the staff.
 19 Q If the situation was the racial slurs and Barbie's
 20 reaction to it, was Barbie now satisfied with the
 21 outcome based on the meeting?
 22 A No. She was not.
 23 Q To that extent, the situation, as you defined it, was
 24 still out of the control?

58

1 MS. BLAKLEY: Object to the form of the
 2 question.
 3 A I wouldn't say it was out of control after the
 4 meeting.
 5 Q The meeting solved the problem with the situation,
 6 brought it into control?
 7 A I don't know.
 8 Q Any other employees complain about Shauna Williams?
 9 A Do you mean -- what do you mean by "complain"?
 10 Q Any complaint whatsoever. Anybody ever come and tell
 11 you they had a problem of any nature with Shauna
 12 Williams?
 13 A Yes. I would say they did.
 14 Q Who?
 15 A Lisa Wright.
 16 Q What did Lisa Wright tell you about her problem?
 17 A Lisa Wright was Shauna's back up. Shauna and Lisa
 18 were -- what we have at CNA are called backups.
 19 You're supposed to work, again, like a small team
 20 because when this person is out, this person is
 21 supposed to take your work, and Lisa would say that
 22 Shauna is not a true backup for her because she felt
 23 like sometimes, I guess, pulling teeth, you know, to
 24 get to kind of work together.

59

1 Q Did she explain why she thought this would occur?
 2 A I don't know.
 3 Q Any other complaints raised by employees about Shauna
 4 Williams?
 5 A Yes. I would say that there were, I guess -- Doris
 6 would notice -- she would say she's not pulling her
 7 weight as far as work.
 8 Q Any other complaints?
 9 A I can't remember.
 10 Q Anyone else complain about racially-based statements
 11 that she may have made?
 12 A No.
 13 Q How about Grace Clemetson? Any employees complain
 14 about her?
 15 A Yes.
 16 Q Who?
 17 A Doris would complain about her. Lisa would complain
 18 about her. Gerard sometimes would.
 19 Q What was Doris' complaint about Grace Clemetson?
 20 A That Grace didn't like the way that Doris worked. She
 21 only wanted, you know, Grace to do her work. Grace
 22 only wanted to do her work.
 23 Q Who were the others who complained?
 24 A Lisa. I believe I said Lisa and Gerard.

60

1 Q What was Lisa's complaint?
 2 A That Grace really wasn't sure of what she was doing;
 3 that Grace -- her performance was at issue and that
 4 she's not familiar with some of the things.
 5 Q Any other -- you said Gerard. What was his complaint?
 6 A Kind of on the same lines; that Grace doesn't
 7 sometimes seem like she understands things.
 8 Q Any complaints to you about racial comments being made
 9 by Grace, racial harassment?
 10 A No. No.
 11 Q How about Gretta Thomas? Any employees complain about
 12 her?
 13 A No.
 14 Q Heather Gill?
 15 A No.
 16 Q Since Barbara Connick's absence from work, what
 17 discussions have you had with other employees
 18 regarding her medical status?
 19 A People ask me when Barbie is coming back, and I just
 20 tell them that she's out on short-term disability.
 21 Short-term disability sends me a letter and says,
 22 Barbie's return to work day is that day.
 23 When people are asking, I'll say, This is
 24 the day she's supposed to be coming back, but it may

DEPOSITION OF ABBI LAUSHINE

61

1 or may not be if she's coming back. It all depends.
 2 Q Have you discussed anything particularly about her
 3 medical status --
 4 A No.
 5 Q -- other than what you stated?
 6 A No.
 7 Q Have you told employees that Barbara has filed a
 8 lawsuit against the company, and the home office is
 9 not too happy about it?
 10 MS. BLAKLEY: Object to the form of the
 11 question.
 12 A No.
 13 Q Have you told any employees that Barbara Connick has
 14 filed a claim against the company, a legal claim?
 15 A Yes.
 16 Q Who did you tell?
 17 A I think Jean Boudreau.
 18 Q Anyone else?
 19 A No.
 20 Q Did you tell Jean Boudreau that the home office wasn't
 21 too happy about the claim?
 22 MS. BLAKLEY: Object to the form of the
 23 question.
 24 A No.

62

1 Q Did you have a conversation with Doris Chan where she
 2 asked you why she wasn't interviewed during the
 3 investigation into Barbie's complaint?
 4 A No.
 5 Q Did you have a conversation with Lisa Wright where she
 6 asked you why she wasn't interviewed during the course
 7 of Barbie Connick's complaint?
 8 A No.
 9 Q I think I'm done. I just want to take a couple of
 10 minutes outside.
 11 (A recess was taken.)
 12 MR. WILGOREN: Back on the record.
 13 Q Just one further question. Did Doris Chan ever
 14 complain to you that any employees mimicked her
 15 speech?
 16 A No.
 17 Q I have no further questions.
 18 MS. BLAKLEY: Okay. I have no questions.
 19 (Whereupon, at 2:15 p.m., the deposition was concluded.)
 20
 21
 22
 23
 24

63

1 ATTACH TO THE DEPOSITION OF: ABBI LAUSHINE
 CASE: BARBARA CONNICK V CONTINENTAL CASUALTY COMPANY

ERRATA SHEET

3 INSTRUCTIONS: After reading the transcript of your
 4 deposition, please note any change or correction to your
 5 testimony and the reason therefor on this sheet. DO NOT make
 any marks or notations on the transcript volume itself.
 Please sign and date this errata sheet (before a Notary
 Public, if required).

PAGE	LINE	CHANGE OR CORRECTION AND REASON
8		
9		
10		
11		
12		
13		
14		

15 I have read the foregoing transcript of my deposition
 taken on August 24, 2000, and except for any corrections or
 changes noted above, I hereby subscribe to the transcript as
 an accurate record of the statements made by me.

18 (Signature of Witness)

20 SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ day
 21 of _____, 2000, AT _____.

23 MY COMMISSION EXPIRES: _____

64

1 CERTIFICATE
 2 COMMONWEALTH OF MASSACHUSETTS
 WORCESTER, SS.

4 I, Elizabeth O. Bailey, a Notary Public in
 5 and for the Commonwealth of Massachusetts and a Court
 Reporter, hereby certify that there came before me on the
 6 24th day of August, 2000, ABBI LAUSHINE, who was duly sworn
 by me; that the ensuing examination upon oath of the said
 7 deponent was reduced to typewriting under my direction and
 control; and that the within transcript is a true record of
 8 the questions asked and answers given at the deposition.
 9

10 I FURTHER CERTIFY that I am neither attorney
 nor counsel for, nor related to or employed by any of the
 parties to the action in which this deposition is taken; and,
 11 further, that I am not a relative or employee of any attorney
 or financially interested in the outcome of the action.

12 IN WITNESS WHEREOF, I have hereunto set my
 13 hand and affixed my seal of office this 31st day of August,
 14 2000.

17 Elizabeth O. Bailey
 18 Notary Public, Commonwealth
 of Massachusetts
 19 My Commission Expires
 20 March 29, 2002
 21
 22
 23
 24

- ' -	ability 48:6 able 11:20 13:4 49:19 52:12,14,16,19 56:17,21 absence 60:16 acceptable 57:17 accounting 27:11 40:19 accurate 7:16 47:15 48:3 63:16 achieved 18:8 across 11:23 54:23 action 17:4,5,6,7,19,20 18:1,7,17,23 29:9 49:3,12 57:9 actual 44:24 45:6 Actually 8:13 34:17 42:19 44:21 address 3:14 affecting 57:7 afraid 39:4 42:19,22,23,24 African 21:1,8 24:11,11 afterward 37:18 again 24:5,21 26:13 30:22 35:10 42:6 45:23 46:15 51:12 52:1 56:15 57:4 58:19 against 3:23,24 34:3 61:8, 14 aggressive 54:1 agreed 3:2 agreeing 35:11 all 3:6,8 8:6 12:9 31:5 32:3,5 33:8,11 34:9 61:1 allegation 38:21 Allison 2:4 allow 28:21 already 27:22 am 64:11 American 21:1,8 24:11,11 among 14:14 16:4,11 amount 30:2 answer 56:17 answers 50:24 64:8 apologize 51:2,3 apologized 44:13 APPEARANCES 2:1 appeared 23:24 appears 11:19 approached 54:4 approximately 7:18 arguing 45:7,11 argument 52:15 argumentative 47:14 Around 31:20,22 52:21 aside 29:3 asking 41:5,20 60:23 assault 27:4 assertion 47:12 assess 19:21 20:1,7 48:6 assessment 14:17 18:13 assessments 12:23 13:14 Assistant 2:6 9:9 assume 4:11 ATTACH 63:1 attack 25:11 attention 20:24 24:5 37:12 56:1 Attorney 2:4 64:11	attorneys 4:23 5:7 August 7:15 21:13 22:3 26:9 39:15 41:16 63:15 64:6 auto 9:14,18 11:5 16:13, 15,15 avoid 18:10 aware 19:12 20:11,13 29:15 48:14 away 26:22 37:13 52:11 54:17	between 3:3 14:3 27:9 33:15,17 42:4,8 49:11,14 50:9,13 54:3,8,20 55:1 bit 11:23 13:19,20 Blakley 2:4 5:14,16,18 16:18 20:4 25:7 26:11 29:23 31:15 35:8 39:12, 18 40:7 44:16 46:11 47:2,7,13 50:23 51:7,19 55:8 58:1 61:10,22 62:18 blank 44:8 board 13:3 53:12 body 33:17 36:17 both 38:5 45:15 bottom 56:3 Boudreau 61:17,20 bought 8:2 briefly 8:14 bring 39:1 bringing 20:24 39:5 brought 19:8 58:6 building 42:24 business 45:13,13 54:10
01701 2:3	- 1 -	- B -	
12:18 5:22,24 6:3 7:11,19 100 14:6 15 9:5 16th 25:21 42:3 44:20 45:7 49:4,11,14 17th 35:2,8,9 42:3 1998 12:22 1999 13:11,13 20:23 21:13 33:23 35:4 41:16 49:22 52:22 54:10	back 5:19 13:18 27:3,10 30:22 44:11 49:18 52:9,9 56:24 58:17 60:19,24 61:1 62:12 background 8:15 backlog 13:24 backup 58:22 backups 58:18 Bailey 64:17 bar 22:18 Barbara 2:9 6:16,19 12:8 19:8,22 20:2,8,11,22,23 21:10 22:21 23:18 24:8, 18 25:5,15,17,21 26:17 27:2,8,21 31:20 37:1 39:7 40:14,23 41:15,23 42:4,8 45:1 48:3 50:9 60:16 61:7,13 Barbara's 21:5 54:22 Barbie 3:22 7:6,12 21:16, 18 22:23 25:24 26:6,16 27:11,15,18,24 28:8 37:6 38:3,9,9,12,13,16,18 39:2,3,9 40:5,21 42:15, 16,17,17,18,19 43:9,13,14 44:15,24 45:2,7,10,12,19 46:3,5,9,15 47:6,10,19 48:20 49:14 50:17 52:6, 9,13,18,19,21 53:21,24 54:3,16,23 55:1,10,14,16 56:7,17 57:7,20 60:19 62:7 Barbie's 5:4,6 22:8 57:19 60:22 62:3 based 16:7,11 20:12 26:8 34:11 35:1 57:21 basic 53:1 basically 10:20 15:16 24:13 basis 14:15 33:13 batching 31:4 beat 25:18 27:15,17 39:10, 11,17 40:10,21,22 41:1, 18 beginning 6:12 41:11 being 3:10 5:6 9:18 19:12, 13 20:22 35:8,9 52:14 56:17 60:8 Bernadette 11:22 besides 10:9 best 10:17 11:10 22:20 27:8 better 34:17 54:4	- C -	
22:19 34:21,23 2000 63:15,21 64:6,14 2002 64:19 24 63:15 24th 64:6 25 32:10 26 41:16 26th 7:15 21:13 27th 21:13 22:3 49:22 28 52:22 29 64:19 29th 54:9 2:15 62:19 2nd 7:15	- 2 -	C 2:4 call 17:22 21:18 24:5 26:1 29:2 45:3 56:1 called 10:14 17:20 20:15 37:8 38:19 39:16 41:17 43:12,14 46:3 58:18 calling 40:24 calls 23:5 28:21 30:3,9 48:22 car 11:3 care 23:6 24:1 case 4:1,3 8:3,5,10 53:10 certain 13:1 16:20 17:8,23 18:7 56:8 57:16 CERTIFICATE 64:1 CGI 11:2,4 Chan 15:24 33:8 62:1,13 change 63:4,7 changed 10:16 Charles 25:21,23,24 26:4, 10,13 28:5 37:7,20,21,24 38:10,11,18,20 39:7,23 40:1,9,12 42:5,9,17 43:1, 18 44:6 45:3 46:9,9 47:1,23 48:2,16 50:12,13 51:5,10,17 52:3 53:5 57:16 Chicago 2:7 Chief 10:15 chronology 5:6 claim 3:22 61:14,14,21 claims 20:12 37:1 clashes 12:5 Clemetson 15:23 25:16 33:8 59:13,19 clerical 8:6 cliques 24:6,7,9,10 45:22 CNA 2:6 3:23 8:1,2 9:5,7 11:5 23:2,6 28:22 32:10 58:18 CNA's 38:6 43:18	
- 3 -	3 2:14 34 2:19		
- 4 -	4th 49:9,11,14 56:1		
- 5 -	5 2:18 57 3:16		
- 6 -	60606 2:5 60685 2:7		
- 9 -	9/2 7:11		
- A -	Abbi 2:13 3:10,16 5:23 39:21 63:1 64:6		

DEPOSITION OF ABBI LAUSHINE

<p>cognizant 36:19 collective 36:6 college 8:17,17,19,22 comfortable 22:11,12,14 56:21 comments 23:15 60:8 commercial 10:12 16:15 Commission 3:24 common 22:18 36:11 COMMONWEALTH 64:2, 5 communication 36:24 comp 8:8 company 8:5,13 17:2 23:7 61:8,14 complain 58:8,9 59:10,13, 17,17 60:11 62:14 Complainant 2:3 complained 19:23 20:3 59:23 complaint 6:17 58:10 59:19 60:1,5 62:3,7 complaints 19:7 20:8 31:21 59:3,8 60:8 computer 4:8 concentrate 49:20 concerns 49:15 conclude 47:18 concluded 62:19 conclusion 51:13 conference 10:8 26:1 38:10 42:11 conflict 15:15 16:5,7 32:22,24 33:2,14 34:14 conflicted 33:11 conflicting 15:18 31:24 32:12 33:7 conflicts 14:20,21 15:2 30:14,21 31:13 32:9,24 33:5,23 34:11 35:1 confused 44:23 Connecticut 8:12,24 9:2 Connick 2:9 3:22 6:16 19:8,22 20:2,8,11 21:10 22:21 23:18 24:8 26:17 27:2,9,21 31:20 37:1 40:14,23 41:15,23 42:5,8 44:15 47:19 48:4 52:6,21 53:21 54:3,16 61:13 Connick's 6:19 12:8 20:23 60:16 62:7 consider 50:8 considered 50:10,11 constant 33:13 contemporaneous 9:22 Continental 7:23 8:2,4 9:6,8,10 continue 57:12 continuing 35:1 control 56:3,12 57:3,12,13, 14,24 58:3,6 corporation 43:20 corroborate 48:24 counsel 3:3 64:10 couple 41:10 50:3 55:12 62:9 course 38:16 62:6</p>	<p>court 7:22 64:5 courtesy 36:3,11 Crider 2:6 Cross 2:12 CUO 10:14 currently 10:14</p> <p>- D -</p> <p>D 2:11 33:8 Dale 2:6 date 7:16,16,17 31:15 37:11 55:23 day-to-day 14:14 deal 57:9 dealing 11:2 17:9 decide 52:4 decided 39:4 50:16 decision 51:23 52:1 dedicated 23:3 define 32:21,22,24 defined 57:23 definition 33:1 delivery 15:10 denoted 16:5 department 9:24 10:5 11:8,11 12:6,22,23 13:4, 14 14:3,5,14,18,22 16:14, 23 25:12 29:13 30:14 33:5 34:15 35:18 44:3 depends 61:1 deponent 64:7 deposes 3:11 deposition 3:4,19 6:2 34:23 62:19 63:1,4 64:8 depositions 4:1 Description 2:17 desk 20:23 21:5 23:9 26:22 37:13 50:8,14,18, 20 51:6,10,15,22,23 52:10 54:21,21 desks 50:2,3,7 52:17 devoting 14:11 differ 32:23 differences 53:22 different 10:24 11:12,14,16 33:2 37:14 44:21 Direct 2:12 3:12 19:21 20:1,7 direction 64:7 disability 60:20,21 disagreements 33:14 disciplinary 17:4 discipline 18:10 discrimination 3:23,24 discuss 11:7 21:21 44:9 discussed 24:6 61:2 discussing 42:21 discussion 9:23 10:4 11:9 12:5 40:2 49:22 50:6,13 51:22 52:2,6 53:20 discussions 52:4 60:17 disorganized 11:20 disparaging 33:17 division 9:18 document 5:4,6,11,12,13,18 6:4,7,14 7:2,19</p>	<p>documents 5:2 done 15:9 28:24 62:9 Doris 15:23 34:5 59:5,17, 20 62:1,13 Doris' 59:19 down 44:18 50:9 51:2 drawing 44:8 due 53:12 duly 3:10 64:6 during 36:16 38:16 62:2,6 Dye 10:13</p> <p>- E -</p> <p>E 2:11 E-mail 2:19 34:20,24 35:7 E-mails 5:5 7:3,5,6 21:12 each 15:18 16:1 31:24 34:3 43:24 52:16 earlier 25:16 44:22 educational 8:15 Edwards 19:21 20:1,7 25:22,22 28:5,6,16 29:10 42:5,9 46:15 47:1,23 48:2,16 51:5 effect 55:19 effective 31:1 efficient 31:1 either 16:10 39:6 Elizabeth 64:17 employed 16:23 64:10 employee 17:9 27:12,13 53:11 64:11 employees 14:14,17 16:11, 14 19:20 21:1 24:16,20 29:12,18 30:1,7 43:2 44:3 58:8 59:3,13 60:11, 17 61:7,13 62:14 end 13:9,9 18:6,12 19:5,5 41:10,10 54:4 enough 4:19 53:2,7 entire 42:4,8 environment 43:3 57:17 Ernie 12:20 15:20,21,23 26:21 32:6,14 33:4 34:3, 4 35:20 54:23 Ernie's 54:21,21 ethnic 23:8 ethnicity 24:13 events 5:6 6:9 eventually 4:7 everyone 19:11 21:3 33:5 38:16 exact 14:23 15:1 18:20 exactly 38:2 39:2 51:21 EXAMINATION 3:12 example 33:20 exceeds 53:19 except 3:7 63:15 excessive 30:2 Exhibit 5:22,24 6:3 7:11, 19 34:19,21,23 exhibited 36:11 exhibiting 35:19 36:2 EXHIBITS 2:16 existent 34:15 expectations 11:1</p>	<p>expected 11:2 explain 38:6 53:11 59:1 explained 11:12 28:9 express 27:24 49:15 extent 57:23 eyes 33:20</p> <p>- F -</p> <p>F-O-R-D 3:18 fact 8:7 23:24 24:10 29:13 51:5 factual 4:2 Fair 4:19 53:10 familiar 8:11 60:4 far 11:2,2,13 18:4 44:9 59:7 Farmington 37:22 fear 27:24 February 13:9,9 feel 15:11 22:12,24 33:3 47:21 49:19 56:21 feeling 38:23 56:15 felt 22:10 28:2 43:4,5 58:22 few 43:9 figure 19:17 filed 3:22 61:7,14 find 37:20,21 46:5,7 48:24 finish 30:5 50:23 finished 51:3 fired 16:17 first 3:10 7:11 10:1 14:21 20:11,13 22:6 26:7 30:13,20 31:12 37:3,3,5, 6,12 38:9 39:3 44:18 51:16 56:24 five 9:7 floor 31:7 45:8,11,17 52:15 focus 14:5 focused 14:7 follow 22:11 follows 3:11 football 30:18 form 3:7 12:23 20:4 25:7 26:11 39:12,18 40:7 47:2,7,13 51:7,19 55:8 58:1 61:10,22 formed 18:13 found 37:13 four 35:21 Fours 7:8,13 20:18 21:10 22:3,15,17,22 23:23 25:14 26:3,14,16,20 27:1, 21 28:1 40:3,16 41:4,16 45:24 Fox 2:4 fraud 8:5 front 37:17 full 13:7 functions 10:24 21:4 funny 9:3 further 3:6 18:1,10 45:16 49:15 54:16 57:9 62:13, 17 64:11 future 49:6</p>
--	--	---	---

- G -

G 33:7,8
garage 37:18
gave 28:14 43:9
general 26:3,3,14 36:22
Gerard 59:18,24 60:5
Gill 12:13 25:18 39:17
40:11 41:1,18 60:14
give 14:24 15:1,8
Given 47:21 49:20 64:8
giving 52:21 53:4
goals 18:7,16
Goddard 12:20 15:21,23
32:6
goes 17:11 21:7 52:7
going 6:12 10:21 15:9
21:5 22:9 29:15 32:17
35:15 36:7 37:17 43:10
49:24 50:1,2 55:3,4
gone 7:18
good 13:16 50:19 51:11,
15,17,22 52:8
gossip 23:20
gossips 48:21
got 21:18 37:22 38:2,9
45:16 53:6 54:14
gotten 34:17 37:7 56:3,12
57:3
Grace 11:18 15:23 23:9,
11,15,18 24:10,14 25:16
26:21 35:21 39:15 40:6,
10 54:20 55:2,2,4,5,14
59:13,19,20,21,21 60:2,3,
6,9
Grace's 12:18
graduated 8:16,17
Gretta 23:9,11,15,18
24:11,14 27:3,10,13,14,16
39:9 40:10,18,20 60:11
grounds 43:20
group 32:1 34:10
Grove 2:4
guess 11:13 14:19 15:4
23:8 24:12 27:12 29:20
32:21 35:20 36:4 54:13
56:15 58:23 59:5

- H -

hadn't 52:10
half 14:12 24:4 29:4
Hampshire 8:23
handle 13:16
handled 8:10 28:15,17
handling 13:17
happen 24:13
happened 6:8 15:16 27:9,
13 28:13 38:8,13,14 41:8
43:8 44:5 56:9 57:1
happening 23:2
happy 61:9,21
harassed 26:7,21
harassment 20:3,12 37:2
60:9
harsher 11:23

Hartford 8:24
head 48:16
hearing 25:17
Heather 12:13 25:18 39:16
40:11 41:1,18 60:14
heavier 8:7
heavy 13:19
held 7:12,14 10:13 11:1
44:15
help 13:23 31:11 34:8
46:18 50:21
helping 15:7 27:13
hereby 3:2
hereunto 64:13
herself 11:18 43:10
hesitant 39:3
high 8:16
history 9:4,4
home 21:18 61:8,20
hour 24:4 29:5,5 45:20
hours 24:3
How 12:11,20,23 13:4,14
14:17 16:14 18:4,13
21:6,17 22:12 24:2
28:14,16 30:24 32:21,22
37:12 38:23 44:8 45:12
48:6 52:7,24 53:8 57:14
59:13 60:11
Howard 2:2,2
However 27:5
huddle 30:16,19 35:2 36:7,
15,16
huddles 30:15,15 31:19

- I -

idea 19:19 34:13 50:19
51:11,15,17,22
ideas 31:6 35:11,12
identification 6:1 34:21
identified 15:3 16:4 33:22
36:10,21
identify 6:3 13:4 15:14
16:10 30:7 31:12 35:18
36:2
Illinois 2:7
imagine 54:9
immediate 43:21
implementation 18:23
implemented 19:4,5,7
important 46:24 47:5,22,24
improve 17:21
improved 34:17
inaccuracies 7:20
inaccurate 47:6
incident 20:14
include 33:14,17
included 18:2
Including 16:18
indicated 45:22
individual 11:18 15:12
individuals 11:7,11 12:2
15:14 16:8 31:23 33:15,
18,22 34:2 36:2,21
information 4:2 48:24
initiated 21:15,17
Instead 38:15

Insulting 24:22
Insurance 7:23 8:2,13
10:12 11:3
intent 36:18
interacting 14:18
interaction 14:13 54:7
interviewed 62:2,6
into 30:23 43:18 45:19
58:6 62:3
Investigation 2:18 5:24
62:3
involved 13:22 37:7
isn't 7:16
issue 16:9 17:10 22:5,7,13
25:1 33:6 34:16 37:20
51:6 57:6,7,8,9 60:3
issues 16:11 20:24 21:20
28:10 36:17 53:8
itself 63:5

- J -

Jean 61:17,20
Jim 10:14 57:16
job 9:4 21:6 24:1 49:20
jobs 14:8 23:3
June 27:3,10 39:10,11

- K -

keep 21:24 22:8,12 31:1
32:15,17
keeps 11:18 56:10
kept 5:11,12 7:2 43:24
key 22:1
kind 5:12 9:3 11:14,18
15:10 21:24 24:12,14
28:11,14,18,23 31:6,10
34:3,8,9 35:13,14 38:6,13
41:7 42:24 43:9 45:14,
16,23 46:22 50:4 52:4
58:24 60:6
knowledgeable 11:24

- L -

L 33:7
labeled 46:15
lack 23:7 35:19 36:3,11
language 33:17 36:18
last 15:21 24:2 35:22
41:6,11 55:16,21,23
late 26:9 39:15
later 6:10 16:10 41:6
latter 9:13
laugh 55:15
Laura 9:21,24 10:5,18
Laushine 2:13 3:10,16
5:23 34:22 63:1 64:6
Law 2:2,4
lawsuit 61:8
layoff 16:20
layoffs 16:18 23:1
lead 9:8 47:18
learn 10:22 21:4 30:24
learning 13:20
leasing 8:5

leave 13:8,18 22:5 26:22
leaving 17:1 43:11
led 34:1
left 17:3,18 18:5,19 22:13
42:15,16,17 43:23 44:5
legal 61:14
lengthy 23:4
letter 60:21
levels 53:3
lie 25:6 41:23 48:9
LINE 63:7
lines 16:13 60:6
Lisa 15:23 34:7 58:15,16,
17,17,21 59:17,24,24
62:5
Lisa's 60:1
list 15:21 32:6
listen 56:19
listened 28:13
listens 48:21
little 11:23 13:19,20 39:3
load 13:17
locate 11:21
location 49:23
long 5:18 24:2 53:2,7
look 18:20 43:5 56:1
looked 27:14 37:15
losing 23:3
lost 17:15
lot 8:21 23:2 29:14 38:20
53:6 56:19,19
loud 45:15
low 21:24
lucky 22:24
lunch 23:9
luncheon 27:11

- M -

magic 4:7
make 7:20 13:14 14:17
15:10 22:14 28:24 43:17
50:4 51:23 56:20
making 4:9 23:10,15,19
29:15 30:2,8
management 19:12,14
57:10
manager 9:14 10:4,12
16:13 53:5
many 16:14
March 13:7,10,11,13 14:4
64:19
Margaret 35:21,24
Margaret's 35:22
Mark 34:18
marked 5:21,24 6:2 34:20,
22
marks 63:5
Martin 10:14
Mass 3:16,24 9:14,18 11:5
Massachusetts 2:3 64:2,5,
18
maternity 13:8,18
matter 8:14
maybe 28:14 31:19
mean 6:24 13:1 16:17
30:4 37:3 44:9 56:6

58:9,9
means 31:4
meant 36:16 56:22
measure 19:16
medical 60:18 61:3
meet 7:7 21:20 22:2,13
37:9,17 38:20
meeting 7:8,12,12,14 9:23
10:9,19 18:16 20:18
21:9,15,17 22:15,22 24:2
25:13,20,24 26:2,3,5,15,
16,20 27:1 28:1,3,3,13
29:10 30:17,19 35:10
39:22 40:2,12,19 41:12,
16 42:10 44:15 46:14,23
49:7 53:21 55:16,21
57:10,15,21 58:4,5
meetings 19:13 41:6 49:3
meets 53:18,19
memo 36:4,18
memoranda 6:19
mention 41:19
mentioned 11:17 27:5
merger 9:6
meshing 34:9
message 36:22 57:18
met 10:6,7 28:8 31:9
48:15
middle 19:5
might 8:10 50:21
Millet 33:7
mimicked 62:14
mind 35:21 36:5
minutes 43:9 62:10
misrepresent 48:11,13
misunderstanding 32:21
mix 6:11
month 14:24 15:1 18:21
31:16
more 9:2 15:16 16:9 20:6
22:10 29:15 32:4 34:12
morning 29:4 45:4
most 14:11,12 31:8 38:12
motions 3:8
move 50:17,20 51:10,15,23
52:8
moved 9:11 50:2,3,18
52:10
moving 31:2 49:23 50:1,6,
8,14 51:6,22
mugged 54:13
Mullane 35:23,24
must 33:3
myself 29:15 49:8 50:12

- N -

N 2:11
name 3:14 12:8,11,18,20
21:22,23 32:13,13 35:22
names 9:3 15:21
nature 15:2 38:7 58:11
near 19:5 52:16
need 19:14 29:5 30:24
31:11 32:14 36:19 38:3,4
43:4,5
needed 13:22 43:6 50:3

nervous 38:24 49:18 56:9
never 8:17 12:16 26:18
40:11,14 41:3,19 44:4
47:11,17,18
New 8:22 10:20 13:20
53:5
next 34:18 36:24 38:8
43:8 44:5 50:24 54:20,22
Nicholas 9:21,24 10:5,18
night 8:18,21
None 6:21,21
none-of-your-business 45:14
normally 52:3
notary 3:5
notations 63:5
note 53:14 63:4
Notes 2:18 5:4,9,9,11,24
6:15,17 44:11 56:2
notice 7:10 14:19,21
30:13,20 59:6
noticed 29:20 34:12
noticing 29:3
November 9:16 12:22
13:2,8 35:2,8,9
Now 4:10 9:22 10:13
18:22 21:9 24:5 28:3
42:4,7 51:3 55:5 57:14,
20
number 8:21 19:18
Nutting 3:16

- O -

O 64:17
oath 4:5 26:17 40:13
Object 20:4 25:7 26:11
39:12,18 40:7 47:2,7,13
51:19 55:8 58:1 61:10,22
Objection 51:7
objections 3:7
observations 35:2 45:6
observe 14:13 29:12,17
30:1 45:10 53:2
observed 36:14,16 45:18
53:13
occur 19:2 59:1
occurred 6:9
occurring 6:12
October 19:6,6 41:11 49:9,
11,14 56:1
off 43:8,8
off-site 7:12
offer 17:2 56:20
offered 9:13,16 13:23
offering 35:12
office 22:5 37:14 38:10
49:24 54:16 61:8,20
officer 10:15
Offices 2:2
Okay 4:12,18 24:24 38:18
39:1,5 62:18
once 7:23
one 5:20 7:10 12:14 16:22
19:18 20:6 28:18 30:10
32:1,24 34:5 38:9 41:6
44:4 50:10,19 62:13
ones 31:8

only 21:2 59:21,22
operating 12:24 13:5,15
operations 11:3
opportunity 14:13
order 17:9 18:10 22:13
50:4
others 32:4 36:20 59:23
otherwise 4:11
our 11:5 23:4 31:5 39:22
43:2 55:16,21
out 8:12,20 13:8 18:16
19:17 31:6 34:8 42:24
50:24 52:12 53:22 56:3,
12 57:3,12,13,24 58:3,20
60:20
outbursts 54:7
outcome 57:21
outside 42:20,22 43:4
62:10
over 12:3,22 21:5 37:13,15
38:13 45:15,23 48:15
50:5 51:5
overruled 51:5 52:5
overwhelmed 56:15,16
own 14:8

- P -

p.m 62:19
Page 2:17 44:18 63:7
parking 38:20
part 3:23 9:13 13:10
15:14 19:12,13 37:14
39:24 44:19
participated 3:19
particular 15:14 16:8
23:11 24:18 29:17 30:1,
5,7 31:7,23 32:1,19
particularly 61:2
parties 3:3
payrolls 8:6
pending 4:1
Pennsylvania 54:11
people 4:2 11:1 14:7 15:4,
7,7,11,18 16:2 19:15
21:8 22:18,23,24 23:3,4,
10,12,15,21 24:1 28:10
31:5 34:7,8,13 35:11,12,
13,18 36:5,10 38:21 50:4
55:3 60:19,23
people's 23:21 24:21,22
30:23 50:2,3
percent 14:6
perform 52:19
performance 16:9 17:21
18:24 19:4,22 20:2,8
28:10 34:12 60:3
performance-type 53:8
performances 53:3
performed 15:13
performing 15:11 18:15
19:15 22:24
performs 21:6
period 12:24 14:4 17:23,24
18:4,13
personal 23:5 27:24 28:21
30:2,8 48:21 49:15 53:4

personalities 11:14
personality 11:12,16 12:5
14:20,21 15:2 30:13,20
31:13 32:9,22,23 33:1,3,
14,23 34:11,14 35:1
phone 21:22,24 28:11,20
29:2,4 37:23 38:2,11
42:11 43:24 48:22
Photocopy 5:23 34:20
physical 27:4,4,6
physically 14:9
piece 37:16 57:6,8
pinpoint 14:23 36:5
pitch 31:4
place 19:19 22:18 50:1
placed 18:22,22
plan 17:5,6,7,7,8,19,20
18:7,17,23 19:18
plans 21:3
please 3:15 15:22 19:24
42:6 51:1 63:4
point 13:13 16:20 17:14,24
21:8,9 30:12 50:10,19
54:15
police 43:5
policies 11:5
policy 43:18
portrayal 48:3
position 9:13,17,23 10:13,
23 11:24 13:20 53:7
positions 10:21 23:1
possibility 50:14
possible 7:14 42:1
possibly 9:1 18:3 52:11
precipitated 17:1
premium 12:2
preparation 4:24 5:2
prepared 5:7
Present 2:8
President 2:6
pretty 32:10 43:11 45:15
46:22
previously 36:21
primarily 22:23 38:12
prior 9:22 10:3 20:20 37:3
40:6,14 49:11 53:15
privacy 22:8
probably 29:4
probationary 17:24 18:4,12
problem 50:9 54:17 58:5,
11,16
problems 12:6 16:1 29:17
proceed 44:8
proceeded 43:18
proceeding 7:22
process 3:23
processed 29:6 30:24
processing 12:3 31:8
product 48:11
professionalism 36:3,12
promote 43:3
promoted 9:8
properly 4:9
protect 43:2
protection 43:4
provided 5:13
public 3:5 63:6

pulling 58:23 59:6
 purse 54:14
 put 6:7 7:17 31:5,15

- Q -

question 3:7 4:12,14 20:5
 23:13 25:8 26:12 29:24
 31:12 39:13,19 40:8
 47:3,8,14 51:8,20 55:9
 58:2 61:11,23 62:13
 questions 4:4,10 50:24
 62:17,18 64:8
 quiet 46:22
 Quincy 9:11

- R -

R 2:6
 race 3:22 16:7,11 20:12
 26:8 34:11
 racial 24:6,7,9,10 25:1,10
 37:1 43:19 56:24 57:2,6,
 8,19 60:8,9
 racially-based 59:10
 raised 20:8 59:3
 raising 31:20
 rate 53:14
 rater 9:7,8 32:7
 raters 15:16,20 16:4 31:7
 32:3 33:9,24
 rather 7:15 15:8
 rating 15:17 34:2
 reaction 57:20
 read 3:4 25:3 41:13,15,20
 reading 46:17 54:10 55:11
 reason 25:5 41:23,24 63:7
 reassure 56:21
 received 6:21
 recently 10:16
 recess 62:11
 recollect 11:10
 recollection 10:17 22:20
 27:8 42:7 46:18
 record 47:1 62:12 63:16
 records 43:24
 recounted 41:7
 recounting 26:8 39:9 55:18
 reduced 64:7
 reemphasized 28:12
 reference 7:11 35:6
 referenced 7:3
 referencing 26:2 56:11
 reflects 4:9
 refresh 46:18
 regarding 6:16,19 21:8
 35:1 60:18
 regular 31:18
 rehabilitation 17:13
 related 8:1 64:10
 relationship 54:3
 relative 4:2 64:11
 remarks 23:10,11,14,18
 reminding 26:14 40:1,12
 repeat 19:24 38:13
 rephrase 4:17 47:9
 replace 9:20

report 24:24 28:3 54:16
 55:1
 reported 24:19
 reporting 8:6 55:10
 represented 8:13
 required 63:6
 reserved 3:8
 residential 3:14
 resolve 57:11
 resolved 34:14
 respect 23:7 35:19 36:11
 56:16
 respective 3:3
 respond 4:4
 Respondent 2:5,7
 response 26:6 40:5
 restate 29:23
 restaurant 22:17
 result 18:23 19:7 22:2
 49:3
 return 60:22
 returned 49:21 54:15
 55:11
 review 4:8 5:2,10 52:21,24
 53:1,4,7,9
 reviewed 5:4 7:3 21:12
 28:12
 reviewing 7:19
 reviews 53:6
 right 4:15 15:9 32:16
 44:12,14 51:11 54:22,23
 Rivier 8:22
 Road 3:16
 Rolling 33:20
 room 10:8 38:10 42:11
 45:19 50:4
 rub 34:3
 Ruby 10:10,11
 rule 38:6
 rumors 48:21

- S -

S 33:8
 safe 43:3
 safety 27:24 49:16
 said 5:9 10:18,19 11:15
 12:7,18 20:14 22:21,22
 24:7,8 25:16 26:8,13
 27:5,15,16 36:14 37:8,15,
 16,24 38:1,3,3,16,16,18,
 20 39:2,6 40:11,20,22
 41:15 42:2 43:16,22
 45:1,2,16 46:19,21 48:20,
 22 51:21 52:7,18 53:10
 55:2,2,3,4,5,5,6,14 56:11
 59:24 60:5
 same 4:21 10:3 24:13
 30:19 31:20,22 36:3
 44:21,23 45:4 53:15,20
 54:6 60:6
 satisfied 57:20
 saw 45:7,10 47:18
 scared 55:6
 schedule 10:22
 school 8:16,18
 schools 8:22

seat 14:9
 see 24:2,16 29:13 30:4
 35:20 45:6 46:1 52:7
 54:19 56:4
 seeing 22:14 57:5
 seem 23:5 24:12 56:20
 60:7
 seemed 31:23 56:18
 seen 44:4 47:11
 sends 60:21
 senior 9:12
 sense 29:1
 sent 5:5 34:24 57:18
 separate 11:6 45:19
 September 7:15 14:2,4
 25:20 31:19 33:23 41:11
 42:3 49:11,14,22 52:22
 54:5,9
 series 4:4
 serious 24:24 37:20 38:21
 set 18:16 19:9,11 64:13
 setting 10:22
 several 26:21
 shaken 37:15 43:12
 sharing 31:3
 Shauna 12:11 15:24 16:23
 19:21 20:1,7,14 25:15
 26:8,18,21 30:10 35:21
 37:8,16 38:19 39:1,1,5
 40:23 41:17 42:15,23
 43:12,13,13,15,23 44:5,
 12,24 45:7,10,13 46:1,7,
 11,12,14 47:10,22 48:6,
 15,17,18,20,22 49:20
 52:14,18 53:21,24 54:3,
 17,20 55:1,2,3,4,6 58:8,
 11,17,22 59:3
 Shauna's 47:5 49:23 50:8,
 14,20 52:10 58:17
 she'd 26:22
 short 53:13
 short-term 60:20,21
 shortly 10:4 49:17
 shot 55:6
 show 5:17 6:2 7:10 34:22
 side 11:23 13:19,24
 sign 4:9
 Signature 63:18
 signed 3:4
 Simmons 10:10,11
 Since 16:13 60:16
 sit 21:3 23:20 40:13
 sits 37:16
 sitting 21:3,4
 situation 6:19 27:5 49:19
 50:21 53:11 56:3,12,23,
 24 57:2,11,11,19,23 58:5
 slow 13:20
 slur 25:10 56:24 57:2
 slurs 43:19 57:19
 small 58:19
 solved 58:5
 somebody's 36:17
 sorry 30:5 36:16 44:16
 sort 14:8 54:14
 sounds 8:10
 space 50:5

speak 4:23 44:6
 speaker 38:11
 speaking 25:21 35:16
 36:20
 specific 17:10
 specifically 11:15 12:21
 28:16
 speech 62:15
 spending 28:11,19 29:1,13
 30:2,8
 spoke 26:4 44:12,14 45:19
 46:1,9,10 55:24
 sports 22:18
 spreads 48:21
 spring 20:23
 staff 57:18
 standard 19:18
 standards 18:24 19:4,9,11
 standing 54:20
 start 29:12 31:5,6
 started 8:20 9:7 31:18
 55:15
 starting 35:16
 state 3:14 9:2
 stated 17:22 23:20 27:14
 33:24 43:14 45:1 61:5
 statement 25:3,6 26:18
 41:13,20 44:11 47:6,15,
 22 49:1 56:2
 statements 21:7 43:17
 56:14 59:10 63:16
 stating 25:22
 status 60:18 61:3
 stayed 9:11
 stenographer 4:6
 steps 17:8
 stick 24:12
 still 16:23 34:14,16 49:18
 52:8 56:7,7,8,9,22 57:6,
 6,8,24
 stipulated 3:2,6
 STIPULATIONS 3:1 4:22
 stolen 54:14
 stop 45:17
 stopped 45:8
 strike 3:8
 stuff 4:8
 Stupid 55:2,3
 subject 17:3
 subsequent 25:20
 such 55:10
 sue 55:15
 suggest 56:20
 suggested 22:10 32:14
 42:18 43:7
 suggestions 28:14,17
 summarizing 38:15
 supervising 14:3
 supplied 5:7
 support 47:12
 supposed 58:19,21 60:24
 sworn 3:11 4:5 64:6
 symbols 4:7
 system 11:6

<p align="center">- T -</p> <p>take 17:8 18:1,7 21:19 29:9 32:14 40:20 42:18 43:7 49:3,12 56:1 57:8 58:21 62:9 taken 62:11 63:15 taking 4:1 9:22 31:5 50:1, 5 talk 23:20 39:1 45:3 56:18 talked 10:20,24 11:14 23:8 26:15 28:5 36:8 45:23 50:15 57:15,16 talking 22:23 24:15,16 26:2,13 30:22 35:10 38:12 43:1 44:7 52:3 56:8,10 team 19:13 58:19 teaming 16:3 30:17 34:1 technical 13:22 teeth 58:23 telephone 29:14 30:3,8 46:15 telephones 44:1 tell 4:11,15 8:14 9:4 10:17 11:10,15 22:20 24:6 26:20 27:8 28:16 29:7 32:22,23 35:16 37:24 38:15 39:2 40:23 48:2,6 54:19 58:10,16 60:20 61:16,20 telling 25:15 26:4 27:2,18 40:1,4 53:24 55:14 Ten 9:5 tend 15:4 tendency 15:5 term 53:13 terminated 16:14 38:22 termination 17:13,20,22 18:2 43:21 territorial 15:4 testified 7:22 8:3 23:14 42:7 51:14 testimony 4:10,24 5:3 26:17 40:13 47:16,21 Thank 46:13 there's 8:20 these 6:9 31:12 34:11 36:8,14,17 they're-tired-of-these-people 35:14 thing 21:2 24:14 30:19 31:10 34:4,8 35:14 42:20 45:14 things 6:8 13:22 24:18 28:14,17,18 35:15 36:7,8, 14,20 38:7 41:7 45:1,2, 12 52:11 56:8,19 57:16 60:4,7 think 9:1 13:7 15:24 22:7 46:24 47:5,24 48:3 50:19 51:11,17,21 55:20 61:17 62:9 Thomas 27:3,10 39:10 60:11 though 44:10</p>	<p>thought 13:16 15:12 34:13 38:24 50:21 51:14 52:11 59:1 threat 27:3,7 40:6,10,14, 18,18,20 42:23 threaten 48:15 threatened 37:8 38:19 39:10,16 40:24 41:18 threatening 40:10 threats 43:15,19 through 13:10 21:7 throwing 31:6 time 3:9 6:9 10:3,12 12:24 13:1,3,7,10,13 14:11,23 15:20 16:10,21 17:3,18, 23 20:6,13,20,22 21:2,9, 19 26:7 28:11,19 29:2,14 30:2,8 31:20,22 36:24 37:3,4,5,6,7 40:15,23 41:5 42:1 48:2 51:24 52:11 55:24 57:12 times 26:21 title 10:16 today 3:20 4:3,24 5:3 35:6,8,9 together 3:8 6:7 12:1,7 22:1,9 24:12 34:9 43:10 58:24 told 11:11 25:23 26:10,18 27:9,22 28:8,9 37:19 38:2,18 39:22,23 40:5,14 41:15 42:3 43:13 47:11 51:17 61:7,13 tolerated 43:19 Tone 51:2 toning 50:9 too 28:11,19 29:1 30:8 36:4 52:18 53:24 61:9,21 took 12:22 45:19 touch 15:6 touched 34:5 touching 31:10 32:16,20 toward 43:15 trainee 9:7 training 10:21,22 transcript 3:4 4:6 63:5 transferred 8:20,22 trash 20:15 25:17 37:8,16 38:19 39:16 40:24 41:17 43:15 45:2 trial 3:9 tried 39:10 trip 54:10 trouble 32:2 55:5 troublemaker 46:3,5,7,16 47:10,19 true 58:22 truth 48:7 truthfully 4:4 try 4:17 trying 7:17 22:8,11 two 8:16 9:1,2 10:9 24:3 53:16 54:8 two-thirds 44:17 types 4:6 11:12,16 typewriting 64:7 typing 12:3</p>	<p align="center">- U -</p> <p>Uh-huh 12:19 14:16 23:17 35:3 36:1 41:22 46:2 51:4 unacceptable 45:17 57:17 uncomfortable 35:17 under 4:5 26:17 40:13 64:7 understand 4:12,14 10:1 16:20 56:22 understandable 4:17 understands 60:7 understood 43:21 underwriter 9:9,9,12,12 11:22 underwriting 10:15 13:17, 19,24 14:7,11 UNH 8:20 unit 9:14 10:20 11:13,16 12:1,4,7,15,15,16 13:6 14:6,9,10 15:17 19:10 21:21 23:4,10,12,16,21 25:1 29:16 30:23 33:24, 24 34:2 36:22 49:7 53:2, 6 unless 4:11 until 3:9 13:7,7 14:1 upper 19:13 upset 23:24 56:8 use 11:6 used 7:24 32:18</p> <p align="center">- V -</p> <p>vacation 49:17,21 vendor 11:5,6 verbal 17:11 Vice 2:6 violence 27:4 43:19 violent 43:15 visibly 37:15 56:7 volume 63:5 volunteer 34:7</p> <p align="center">- W -</p> <p>wait 37:19 walk 42:24 want 7:20 15:5,6,8 21:21, 23 22:9 27:15,16,17 29:2 31:9 32:15,15,16,19 34:4 40:21,22 50:18 62:9 wanted 7:7 21:21,24 22:1 33:12 51:10 59:21,22 wants 32:11 warning 17:11,12,12,16 watch 28:23 watching 30:4 way 8:1 15:13 19:16,17 27:6,14 31:1 33:11 44:17 46:14 50:8 54:21 57:5 59:20 week 25:16 41:17 52:7 weekly 30:15 weight 59:7</p>	<p>Westford 3:16,18 Westwood 3:17 whatever 27:9 whatsoever 58:10 WHEREOF 64:13 Whereupon 62:19 white 20:15 25:17 37:8,16 38:19 39:16 40:24 41:17 43:14 45:2 whole 12:1 36:23 49:7 Wilgoren 2:2,2,14 3:13 4:21 5:15,21 16:19 34:18 35:9 44:17 46:13 51:2 62:12 will 3:4,8 4:3,4,8,10,15,17 53:14 Williams 15:24 16:23 18:22 25:16 30:10 33:8 47:10 48:20 58:8,12 59:4 Williams' 12:11 19:22 20:2,7 48:6 Within 16:3 23:2 25:17 55:11 Witness 2:12 31:17 35:6 63:18 64:13 won't 32:4 wondering 52:10 work 7:24 8:7 9:4 15:5,6, 8 19:22 20:2 23:8,21 24:21,21,22 28:24 29:5 30:23,24 31:1,3,4,5,9 32:11,14,15,16,17 33:12 34:4,6 42:20,22 43:2,3,4 48:11 49:21,23 52:14,16, 19 53:22 56:21 57:17 58:19,21,24 59:7,21,22 60:16,22 worked 11:7 12:7 13:10 14:19 23:6 52:12 59:20 Worker's 8:8 working 11:11 34:16 works 12:1 Wright 15:23 33:7 58:15, 16,17 62:5 write 24:5 writing 41:21 53:8 written 17:7,12,12,14,14,16 57:4 wrong 15:13 57:4 wrote 6:21 7:1</p> <p align="center">- X -</p> <p>X 2:11</p> <p align="center">- Y -</p> <p>year 53:15 years 8:16 9:5,7 32:10</p>
---	---	--	---